

REPORT


DATE: April 5, 2007

TO: Energy and Environment Committee

FROM: Sheryll Del Rosario, Associate Planner, (213) 236-1879, delrosar@scag.ca.gov

SUBJECT: PEIR Addendum and Conformity Determination for the Proposed Amendment to the 2004 RTP

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Request Executive Committee to authorize release of the Addendum and Conformity Determination for the Proposed Amendment to the 2004 RTP in May and adopt in June.

BACKGROUND:

Staff is currently preparing an Amendment to the Regional Transportation Plan (RTP), which requires review under the California Environmental Quality Act (CEQA) and transportation conformity regulations. The Energy and Environment Committee is not meeting in May because of the General Assembly. Therefore, staff is requesting that the EEC delegate authority to the Executive Committee to release the Conformity Determination and the Addendum to the Programmatic Impact Report (PEIR).

The current RTP Amendment addresses projects proposed to be added to the RTP in response to Proposition 1B, Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, a roughly \$20 billion transportation bond approved by California voters on November 7, 2006. One element of Proposition 1B was the \$4.5 billion Corridor Mobility Improvement Account (CMIA) program, the first commitment of funds focusing on improving performance on highly congested travel corridors. The scope of this proposed RTP Amendment focuses on priority projects identified by the California Transportation Commission (CTC) for the SCAG region at its meeting held February 28, 2007.

Staff has determined that pursuant to Section 21166 of the Public Resources Code (CEQA) and CEQA Guidelines Sections 15162, 15163 and 15164 the appropriate level of CEQA review is an Addendum. In general, an Addendum is allowed when there are not substantial changes to the project or new information that would require major revisions of the EIR. Substantial changes are defined as those which "will require major revisions of the previous EIR...due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects." Preparation of an Addendum is currently underway.

Staff is also in the process of preparing a conformity determination, which includes interagency consultation and release of the draft document for a 30-day public review and comment period. Transportation conformity is required by the Clean Air Act section 176(c) (42 U.S.C. 7506(c)) to ensure that federal funding and approval are given to highway and transit projects that are consistent with ("conform to") the air quality goals established by a state air quality implementation plan (SIP). Conformity, with respect to the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

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A conformity determination consists of regional emissions analyses, financial constraint test, timely implementation of Transportation Control Measures (TCMs), use of the latest planning assumptions, appropriate documentation of findings, interagency consultation, and public involvement.

The proposed Amendment will be submitted to FHWA for certification under the pre-SAFETEA-LU statute since the 2004 RTP does not currently conform to the requirements of SAFETEA-LU. The statutory deadline to make changes to the current RTP under the old statute is July 1, 2007. Therefore, SCAG must adopt and submit this amendment to FHWA prior to this date. In order to meet this deadline, a draft of this Amendment and the Conformity Determination must be released for a 30-day Public Review by early May.

Over the next month, staff will be modeling these projects and assessing the conformity, fiscal and environmental impact implications. As called for by the tight schedule, staff anticipates completing a draft of the Amendment and Conformity Determination for a 30-day Public Review by no later than the end of April. Normally, staff would be bringing this draft to this committee for approval of its release in May. However, because SCAG's General Assembly is planned in May of this year, regular policy committee meetings may not take place. Therefore, staff is recommending you to request the Executive Committee to approve the release of this amendment so we can stay on schedule to meet the July 1, 2007 deadline.

FISCAL IMPACT:

Preparation of the Addendum to the 2004 RTP PEIR is covered under the Environmental Planning Staff work element 07-020.SCGS1. Preparation of the Conformity Determination is covered under the Air Quality and Conformity work element 07-025.SCGS1.

Reviewed by:



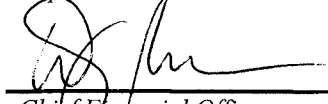
Division Manager

Reviewed by:



Department Director

Reviewed by:



Chief Financial Officer